

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

KEITH STAMPS,
Plaintiff,
v.
RANDY GROUNDS,
Defendant.

Case No. [12-cv-05753-BLF](#)

**ORDER SETTING BRIEFING
SCHEDULE ON PETITIONER'S
MOTION TO REOPEN**

On June 2, 2016, this Court issued an indicative ruling pursuant to Federal Rule of Civil Procedure 62.1(a)(3) that it would likely grant Petitioner's motion to reopen based on not having received the December 29, 2015 Order to Show Cause were the above-captioned case to be remanded for that purpose. *See* Order on Remand ("First Order on Remand"), ECF 30. On June 24, 2016, the Court of Appeals remanded the case to this Court for the limited purpose of ruling on Petitioner's motion to reopen proceedings. *See* ECF 32.

The Court therefore ORDERS Defendant to respond to Petitioner's motion to reopen, *see* ECF 26, by no later than July 12, 2016. Defendant shall serve Petitioner by mail addressed to:

Keith Stamps AB1095
Salinas Valley State Prison
P.O. Box 1050 B5-135
Soledad, CA 93960

Petitioner's reply, which he may choose to file on his own behalf or through Donald Thomas Bergerson, who has not withdrawn as counsel, is due by no later than July 29, 2016. The matter shall be submitted without oral argument.

1 The Clerk shall serve a copy of this Order on Petitioner.

2 **IT IS SO ORDERED.**

3

4 Dated: June 28, 2016

5

6


BETH LABSON FREEMAN
United States District Judge

12 United States District Court
13 Northern District of California

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28